

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOMINICK VOLINO, ET AL., :
Plaintiffs, :
: 21 Civ. 6243 (LGS)
-against- :
PROGRESSIVE CASUALTY INSURANCE :
COMPANY, ET AL., :
Defendants. :
:
-----X
MICHAEL VERARDO, ET AL., :
Plaintiffs, :
: 22 Civ. 1714 (LGS)
-against- :
PROGRESSIVE CASUALTY INSURANCE :
COMPANY, ET AL., :
Defendants. X

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the parties in the above-captioned cases were directed to file a joint letter addressing whether the parties would agree to consolidation of the two actions and, if not, the grounds for any objection;

WHEREAS, neither party objected to consolidation. It is hereby
ORDERED that the Clerk of Court shall consolidate case 21 Civ. 6243 (as lead case) with case 22 Civ. 1714. All filings made after the issuance of this Order in connection with the above-captioned cases shall be entered in the docket of the lowest-numbered case, 21 Civ. 6243. The Clerk of Court is directed to close the higher-numbered case, 22 Civ. 1714. It is further
ORDERED that by **April 15, 2022**, Plaintiffs shall file a consolidated amended complaint. By **April 29, 2022**, Defendants shall answer or file a motion to dismiss. By **May 13, 2022**, Plaintiffs shall file a response to any such motion, and by **May 20, 2022**, Defendants shall file a reply. It is further

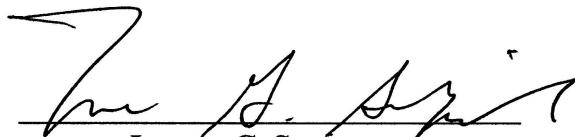
ORDERED that, by **April 15, 2022**, the parties shall file a proposed case management plan and scheduling order for the consolidated case for the limited purpose of conducting expedited discovery of the two *Verardo* plaintiffs' claims. It is further

ORDERED that Plaintiffs shall file a renewed application for a pre-motion conference to discuss a class certification motion within **one week** after the filing of the answer or the decision on any motion to dismiss, whichever is earlier. It is further

ORDERED that the pending motion to dismiss in *Volino v. Progressive Casualty Insurance Co.*, 21 Civ. 6243, is DENIED without prejudice.

The Clerk of Court is respectfully directed to close the motions at Docket Nos. 54 and 96 in 21 Civ. 6243.

Dated: April 8, 2022
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE